

SPEAKER BAACK: You've heard the motion to advance LB 452. All those in favor say aye. Opposed no. It is advanced. LB 363.

CLERK: LB 363, Senator, I have no E & R, Senator, but the first amendment I have to the bill is by Senator Landis. The amendment is found on page 707 of the Journal, Mr. President. (See AMO 117.)

SPEAKER BAACK: Senator Landis.

SENATOR LANDIS: Thanks, Mr. Speaker, members of the Legislature. This amendment carries out further the definition of what is a retired judge. It has no fiscal impact whatsoever because this talks about a judge who is not receiving retirement. The language on the Journal page says a retired judge shall include a judge who, before, on, or after the effective date of this act, has retired upon the attainment of age fifty-five, which is allowed, and has elected to defer the commencement of his or her retirement annuity to a later date, normally that is 65. In other words, a retired judge is somebody who is not taking retirement money but has, in fact, stepped down from the bench. Now for two years, 1990 and 1992, that was the definition that the Court Administrator's Office followed because, in fact, our laws are silent on this question. But because they were silent on the question of what is or what is not a retired judge if you are not taking retirement money, in 1992, the Court Administrator changed their approach and said, well, that's really a former judge rather than a retired judge. The one person who got caught in this shift that the Court Administrators did in their analysis of the statute was Judge Jan Gradwohl, which, who had retired, who had offered to go back as judges do if they wish to serve, but had elected to defer compensation. Judge Gradwohl is a member of a number of judicial societies for women judges, and those societies require you to be either a judge or a retired judge. So this move from being a retired judge, as she had been for two years, and then this move to being a former judge, made an alteration for her professionally because she could not then serve in those societies. I offered this bill, and it was heard by the Judiciary Committee, but it was heard on a consent calendar day, a time when the Gradwohls were absent and traveling. I had said to them, don't bother. This is the kind of small consent calendar issue that that day in the committee was designed to do, I will take the bill, and rather than accepting a later hearing, we will do this...I will do this at this time, and go